

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ASHLEY VOAG,

Plaintiff,

v.

MICHELLE FISH, et al.,

Defendants.

CASE NO. C19-1588 MJP

ORDER RE-NOTING MOTIONS
TO DISMISS

Plaintiff is *pro se* (representing herself) and has filed a lawsuit for violation of her civil rights against a variety of state agencies, state employees, and other persons with whom she has had dealings related to the placement of her children into state custody through state court dependency proceedings. Dkt. No. 1-1.

There are currently three motions to dismiss pending against Plaintiff:

1. State Defendants' Motion to Dismiss Pursuant to Fed.R.Civ.P. 12(b)(6), filed by Defendants Michelle Fish, Deanna Kazen, Mary Wetherd, and Jasmine Alonso (Dkt. No. 20);

2. Defendant Marysville, P.D.’s Rule 12 Motion to Dismiss (Dkt. No. 22); and

3. Defendants Judge, Appel, Okrent, and Gwordske’s Motion to Dismiss for Failure to State a Claim (Dkt. No. 23).

Currently, all three motions are noted for separate deadlines (June 5, 12, and 19, respectively).

The Court has recently received a document from Plaintiff “requesting more time to review State Defendants’ Motion to Dismiss as I never received my copy of the motion as I have been having mail issues here in Darrington Washington.” Dkt. No. 27. The Court has decided, in the interests of judicial economy, and to give Plaintiff an opportunity to review and respond to all the pending motions to dismiss, to note all of the pending motions on the same date (June 19); therefore,

IT IS ORDERED that all pending motions to dismiss (Dkt. Nos. 20, 22, and 23) will be noted for **June 19, 2020**.

IT IS FURTHER ORDERED that Plaintiff must file her responses to the motions by no later than **June 15, 2020**; failure to file a response will serve as Plaintiff’s admission that the motion is correct and her case should be dismissed.

In the interests of providing the *pro se* Plaintiff with some guidance in responding to the motions to dismiss, the Court notes the following:

- There are three motions – Plaintiff must respond to each of them separately. Each response can be no longer than 12 pages.
- Each of the motions raises different legal arguments regarding why the parties believe that Plaintiff’s complaint should be dismissed. Plaintiff must respond to each of the arguments; failure to respond to any argument may be considered by the Court as an admission by Plaintiff that the Defendants’ argument is correct.

- If Plaintiff believes that she could amend her complaint to state her claim in a way that is legally acceptable, she should say so. Sometimes a dismissal can be avoided if the claim can be restated in a way that makes it legally sufficient; sometimes, not.

The Court will also mail to Plaintiff the following handouts available from the Western District of Washington website:

1. "Pro Se Guide to Filing Your Lawsuit in Federal Court"
2. "Pro Se Instruction Sheet in Civil Cases"

The Clerk of the Court is additionally directed to mail Plaintiff copies of each of the motions to dismiss.

The clerk is ordered to provide copies of this order to Plaintiff (via certified mail, return receipt requested) and to all counsel.

Dated May 22, 2020.



Marsha J. Pechman
United States Senior District Judge